

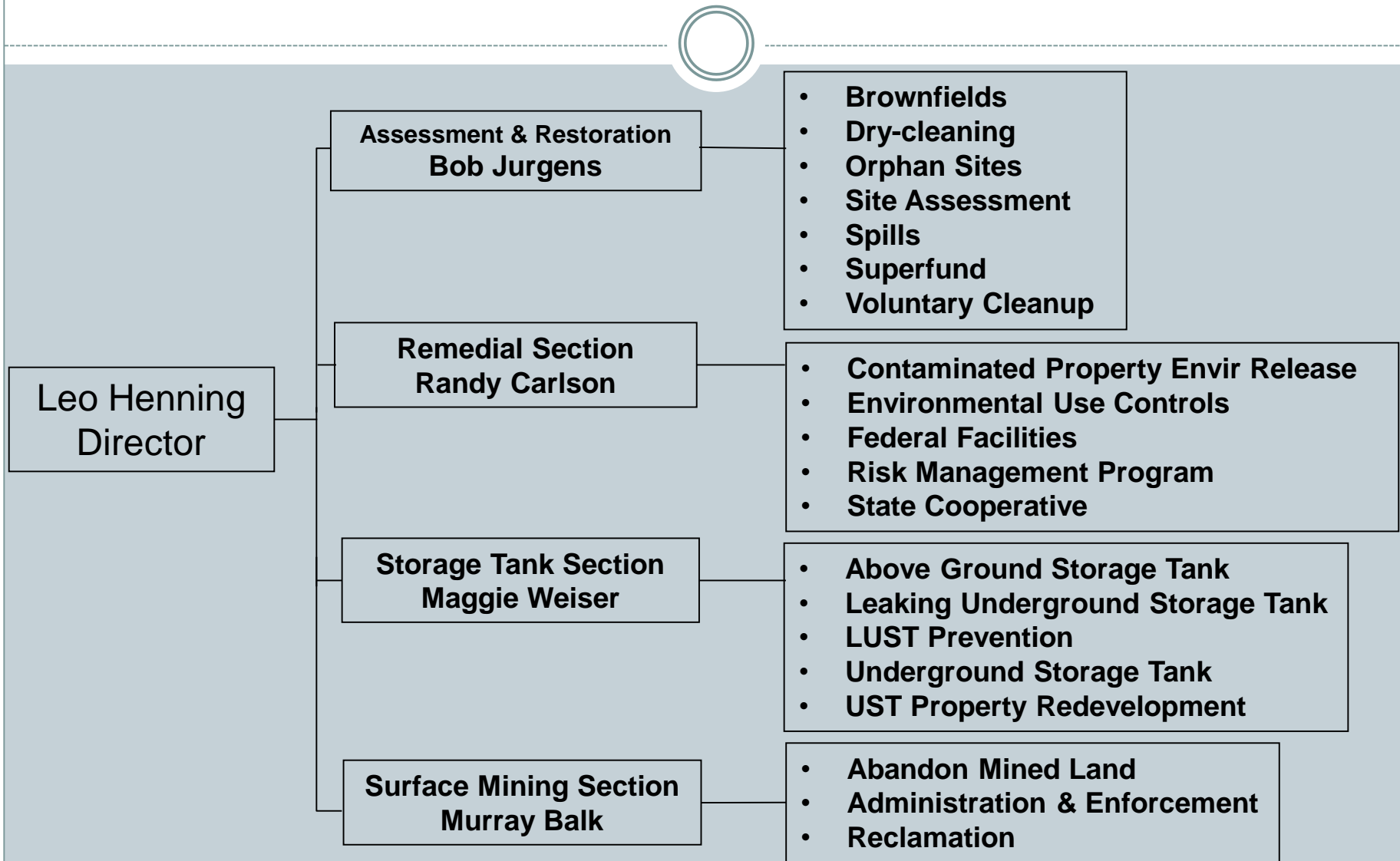
Bureau of Environmental Remediation

Leo G. Henning



Our Mission: To protect and improve the health and environment of all Kansans.

Bureau of Environmental Remediation



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Legislation

- Environmental Stewardship Fund
- Risk Management Program
- Contaminated Property Redevelopment Program
- Voluntary Cleanup Program

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Environmental Stewardship Fund



- Established Fund in 2015
- Received Spending Authority on July 1, 2016
- Funded the Same as the Petroleum Trust Funds
- Fund Usage
 - State Match at Superfund Sites
 - State Costs for Operation and Maintenance at Superfund Sites
 - Emergency Response
 - Orphan Sites
 - ✦ Orphan Site Program
 - ✦ Site Assessment Program
 - ✦ Drycleaning Sites

Risk Management Program



- **Risk Management Program Act**
- *K.S.A. 2015 Supp. 65-34,176*
- Regulations Completed (28-74-1 thru 4) in May 2015
- Mechanism for the long-term care & management of low-risk, low-priority sites unable to meet requirements for unrestricted site closure or no further action.
 - Another tool in long-term stewardship toolbox
 - “Post-closure” monitoring
 - Allow sites to reach a “resolved” status w/conditions

Risk Management Program



- Low Risk - risks under current conditions and reasonable future scenarios are minimal such that active remediation is not required, and are not likely to increase hazards or danger posed to nearby receptors.
 - ✦ Extent of contamination has been defined & source reduction complete; if necessary.
 - ✦ Concentration trends are stable to declining & not dependent on continued operation of an active system.
 - ✦ Imminent future exposure to contaminated media is not likely.
 - ✦ All current complete exposure pathways have been addressed.
- Routine owner/occupant verification and providing notice to current owners/occupants

Risk Management Program



- Risk Management Agreement
 - Enforceable
 - ✦ assess administrative penalty of \$500 per day for non-compliance with RMP
 - May be transferred or amended
 - ✦ Transfer obligations to another party
 - ✦ Amend to take on additional actions
 - ✦ Terminated
 - Demonstrated RMP no longer necessary

Contaminated Property Redevelopment Program



- **Contaminated Property Redevelopment Fund**
 - Loans and grants to municipalities at brownfields redevelopment projects
 - Administered by Kansas Brownfields Program
- **Certificate of Environmental Liability Release (“CELR”)**
 - Prospective purchasers of contaminated properties after July 1, 2016
 - Municipalities, governmental entities, or lending institutions acquiring property through seizure, condemnation, foreclosure, or default
 - State liability only

Contaminated Property Redevelopment Program



- Property Eligibility

- Property **must be** contaminated

- (exclusions: radon, lead-based paint or asbestos)

- Applying entity is not the responsible party for the identified contamination

- Not Retroactive; does not apply to property acquired prior to **July 1, 2016**

Contaminated Property Redevelopment Program



Purchaser Eligibility

- Does **not** currently own the property
- Has not exacerbated the contamination
- No direct or indirect familial relationship with the owner **or** the party responsible for the contamination
- No contractual, corporate or financial relationship with the owner **or** the party responsible for the contamination
- Has not provided **indemnification** or release of environmental liability to any other party
- Not the **subject** to a contract, agreement, or order with the intended purpose of performing investigation or remediation of contamination at the property

Contaminated Property Redevelopment Program



- Governmental entity or local municipality
 - (State of Kansas, county, city, school district, etc.)
- Acquired property through seizure, condemnation, foreclosure or default
- Has not exacerbated the contamination
- The party responsible for the contamination
- No contractual, corporate or financial relationship with the owner **or** the party responsible for the contamination
- Has not provided **indemnification** or release of environmental liability to any other party
- Not the **subject** to a contract, agreement, or order with the intended purpose of performing investigation or remediation of contamination at the property

Voluntary Cleanup Program

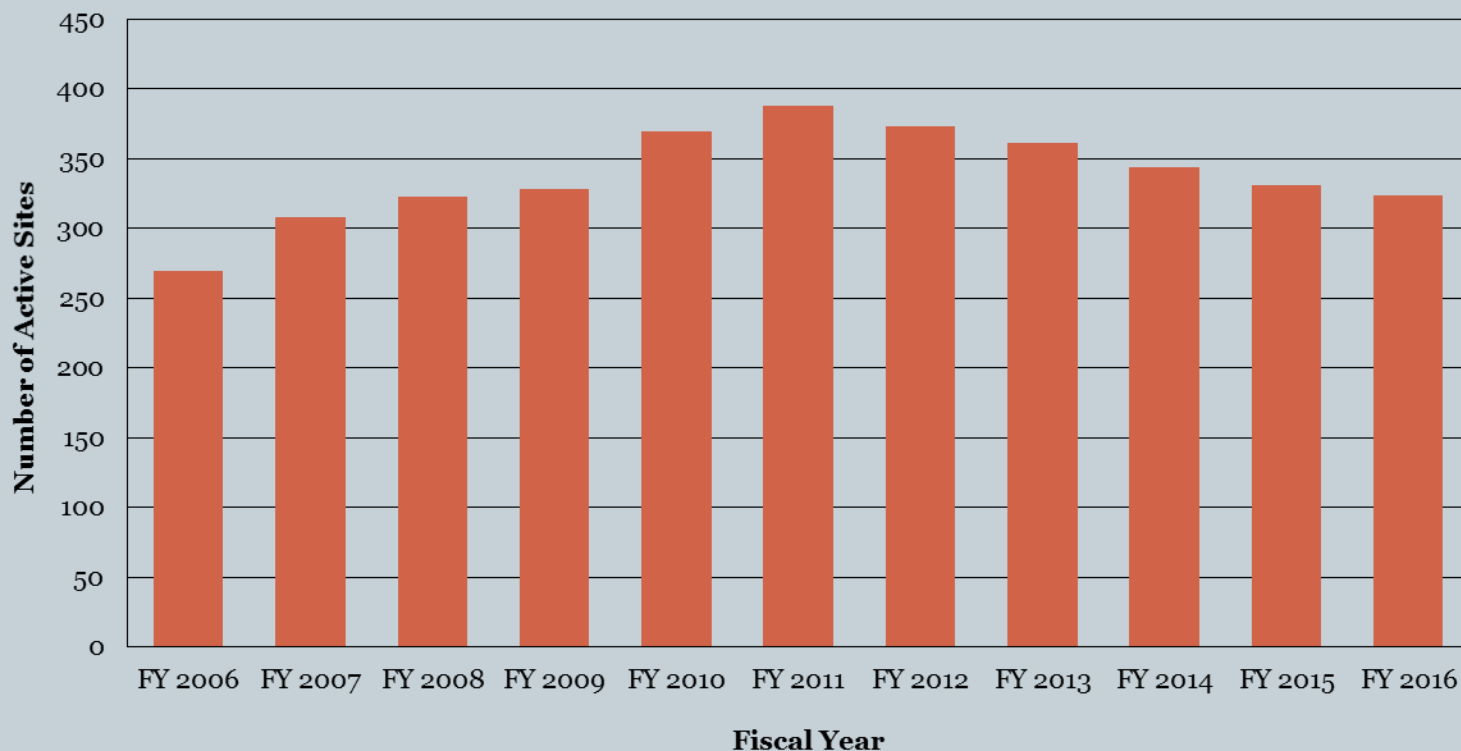


- Statute change in 2015
- Regulations completed internally
- Regulation completion estimated December 2016
- Provides KDHE with additional flexibility to close low risk sites

Voluntary Cleanup Program



VCPRP Number of Active Sites per Fiscal Year



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Policy/Guidance Revisions Update



- TPH/LNAPL Policy (BER-041) – Completed – September 2015
- Considerations for Groundwater Potability and Use Determinations (BER-RS-045); - Completed – April 2016
- Risk Management Program Guidance (BER-RS-057) – Completed – May 2016
- Environmental Liability Release Program Guidance (BER-RS-058) – Completed – July 2016
- Vapor Intrusion Guidance/Policy - Soon

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Kansas Environmental Interest Finder (KEIF)



- Includes Information about Contaminated and Regulated Sites in Kansas
- Intended to provide general information about Environmental Interests
- Provides links to each KDHE Program and site information

[Home](#)

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[Environment](#)

[Health Care Finance](#)

[Laboratories](#)

[News](#)



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[A to Z Topic Listing](#)

Environment Links

[Blue-Green Algae \(BGA\)](#)
[Blooms](#)
[Environmental Laboratory
Accreditation Program](#)
[Environment Quality
Management Plan \(QMP\)](#)
[Environmental Service Guide](#)

[Finder \(KEIF\)](#) **NEW**

[KDHE Environmental Audit](#)

[KEAP](#)

[Our Mission](#)

[Resource Links](#)

People Want to Know

[Air Permitting](#)

Air

- [Air Monitoring Data/Air Quality Index](#)

Environmental Field Services

- [District Offices](#)
- [Blue-Green Algae \(BGA\) Blooms](#)



KDHE Environmental Interest Finder

Enter address in search box or Zoom into map to list KDHE Points of Interest in your map area.

[About](#)

LEGEND

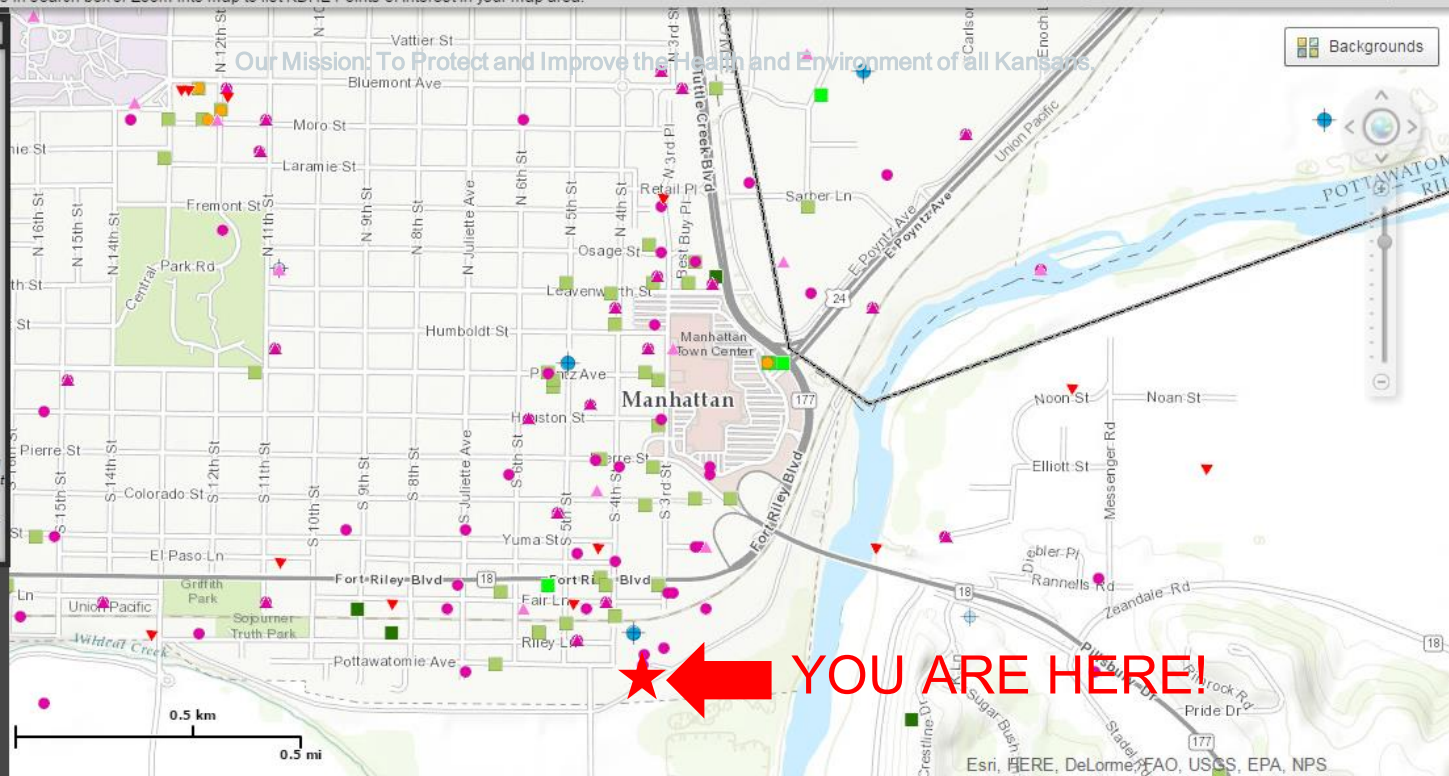
- ▼ ISL: Identified Sites List
- ▲ TRI: Toxic Release Inventory
- ▲ Spills
- ▲ LUST: Leaking Underground Storage Tanks
- Air Quality
- ⊕ UIC: Underground Injection Wells
- ⊕ WW: Waste Water
- Dry Cleaners
- Tanks: Above and Underground Storage Tanks
- RTK: Right-to-Know
- RCRA: Resource Conservation and Recovery Act
- Solid Waste/Landfills/Dumps

All symbolized points in the legend may not be visible in the map extent.

Excluded programs:

- Confined Animal Feeding Facility
- PW S: Public Water Sources

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[Backgrounds](#)

★ ← YOU ARE HERE!

Esri, HERE, DeLorme, FAO, USGS, EPA, NPS

Environmental Interest Finder Information. Use of names/addresses for commercial purposes is prohibited under KS law. KDHE makes no assurance of the accuracy of information presented on the map

All Pr...	ISL: I...	TRI: ...	Spills	LUS...	Air Q...	UIC: ...	WW: ...	Dry ...	Tank...	RTK:...	RCR...	Soli...	Table Options ▼
KDHE Program	Name		Program ID		Location		City		Status				
Storage Tanks: Above and/or Underground	MANHATTAN TRENCHING		82446-TANKS		1600 FAIR LN		MANHATTAN		No Tank Information Given				
Storage Tanks: Above and/or Underground	KAW VALLEY WILBERT VAULT CO		27329-TANKS		1210 POTTAWATOMIE AVE		MANHATTAN		ALL Tank(s) Out of Use				
Storage Tanks: Above and/or Underground	4TH & HUMBOLDT PARKING		82531-TANKS		N 4TH ST AT HUMBOLDT ST		MANHATTAN		No Tank Information Given				
RCRA: Not Currently a Generator	AGI BIKE STATION		KSD981720352-NCG		612 N MANHATTAN AVE		MANHATTAN		Active				
Dry Cleaners	STICKEL CLEANERS		0095-DRYCLEAN		714 N 12TH ST		MANHATTAN		Active				
Storage tanks: Leaking Underground Storage tanks Onsite	SHOP QUIK #13		08648-LUST		1131 BLUEMONT AVE		MANHATTAN		Monitor				
Storage tanks: Leaking Underground Storage tanks Onsite	MIXED USE BUILDING (FORMER DAY		82793-LUST		1101 MORO ST.		MANHATTAN		Closed				
Storage tanks: Leaking Underground Storage tanks Onsite	GOETSCH IRVINE MOTOR CO INC		14919-LUST		N 4TH ST AT LEAVENWORTH ST		MANHATTAN		Monitor				

Lead (Pb) Changes



The cleanup standards for Lead will be changing

<u>Media</u>	<u>Current</u>	<u>Future</u>
Soil	400 mg/kg	200 mg/kg
Drinking Water	15 ug/ml	15 ug/ml
Blood Lead	5 mg/dl	4 mg/dl

KDHE holding until information is released by EPA

Perfluorinated Chemicals



- **Stable man-made chemicals produced for over 60 years**
- **Most prevalent in the environment are:**
 - **Perfluorooctanic Acid (PFOA)**
 - **Perfluorooctyl Sulfonate (PFOS)**
- **Repel oil, grease, and water**
- **Chemically and thermally non-reactive**

Perfluorinated Chemicals



- **Used in aerospace, automotive, construction, manufacturing, electronics and textile industries**
- **Oil and water repellent coatings and products:**
 - **Teflon[®], StainMaster[®], Scotchgard[®], GoreTex[®]**
- **Surfactants**
 - **Aqueous film forming foams (AFFF) – Firefighting from 1966 to 2002**
 - **Mist suppressants – metal plating operations**

Perfluorinated Chemicals



- **Non-occupational Exposures**
 - **Water**
 - **Air**
 - **Ingestion**
 - **Animal (Bio-accumulates)**
 - **Plants**
 - **Breast milk**

Perfluorinated Chemicals



- **Research indicates animal toxicity**
- **Inconclusive regarding human health effects**
- **Linked to:**
 - **Cancer (testicular, kidney)**
 - **Thyroid hormone levels**
 - **Low birth weight**
 - **Developmental effects**
 - **High cholesterol**
 - **Decreased sperm counts**

Perfluorinated Chemicals



- **EPA has no official toxicity values but released a lifetime drinking water health advisories for PFOA and PFOS concentrations below 70 ng/L should not expect adverse health effects**
- **Some States have determined drinking water standards at 20 ng/L.**

Perfluorinated Chemicals



- In the event a PWS detects elevated PFCs, potential options include:
 - **Activated carbon**
 - Reverse osmosis
 - Blending
 - Abandon the source
- Monitoring conducted at 43 Kansas PWS under the Third Unregulated Contaminant Monitoring Rule – no PFOA or PFOS detected

Quality Improvement Projects



Site Assessment Program

- Too many sites in backlog without visibility
 - Inventory all unassessed sites
 - Create process for transferring information
 - Built a new assessment tool to rank sites
 - Rank all unassessed sites to prioritize work
 - Create visibility for program achievements

Site backlog was 160 – now 60.

Bureau of Environmental Remediation



Thank you for your participation



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